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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/735,211	12/12/2000	Pasi Lahtinen	2132-42PCON	4277

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EXAMINER

IQBAL, KHAWAR

ART UNIT	PAPER NUMBER
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2686

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DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/735,211

Applicant(s)

LAHTINEN, PASI

Examiner

Khawar Iqbal

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1,2,4-7 and 9 are rejected under 35 U.S.C. 102(e) as being unpatentable by Joensuu et al (5966653).

3. Regarding claim 1 Joensuu et al teaches a method for setting up a telecommunication connection between an A-party located in a first country and a B-party located in a second country using a switched telecommunication system that includes a switched telecommunication network comprising a digital mobile telecommunications network, a telecommunication terminal of the A-party and connected to the switched telecommunication network, a telecommunication terminal of the B-party and connected to the switched telecommunication network, and a telecommunication server connected to the switched telecommunication network and comprising means for handling messages and setting up telecommunication connections, comprising the steps of (figs. 4-6):

sending, from the A-party telecommunication terminal to the telecommunication server, a call setup message using the switched telecommunication network and

without establishing a telecommunication connection between the A-party telecommunication terminal and the telecommunication server (col.5, lines 33-47);

setting up, at the telecommunication server, a first telecommunication connection from the telecommunication server to the A-party telecommunication terminal (col. 5, lines 47-57);

setting up, at the telecommunication server based on the call setup message received from the A-party telecommunication terminal, a second telecommunication connection from the telecommunication server to the B-party telecommunication terminal (col. 5, lines 57-65); and

connecting together, at the telecommunication server, the first and second telecommunication connections to establish a telecommunication connection from the B-party telecommunication terminal to the A-party telecommunication terminal (col.), lines 33-67).

Regarding claims 2 and 7 Joensuu et al teaches wherein the call setup message contains a telephone number of the B-party (col.2, lines 20-29).

Regarding claims 4,9 Joensuu et al teaches USSD messages (col. 5, lines 33-40)

Regarding claims 5,6 Joensuu et al teaches a system for setting up a telecommunication connection between an A-party located in a first country and a B-party located in a second country using a switched telecommunication system that includes a switched telecommunication network comprising a digital mobile telecommunications network, a telecommunication terminal of the A-party and

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connected to the switched telecommunication network, and a telecommunication terminal of the B-party and connected to the switched telecommunication network, the system comprising (figs. 1-6):

a telecommunication server connected to the switched telecommunication network and operable for handling messages and setting up telecommunication connections (col. 5, lines 33-67), said server comprising means for identifying a subscription of the B-party from a call setup message received by said server from the A-party telecommunication terminal (col. 5, lines 33-67), means for setting up a first telecommunication connection from the server to the A-party telecommunication terminal and a second telecommunication connection from the server to the B-party telecommunication terminal based on the call setup message(col. 5, lines 33-67), and means for connecting the first and second telecommunication connections to establish a telecommunication connection from the B-party telecommunication terminal to the A-party telecommunication terminal (col. 5, lines 33-67).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3,8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joensuu et al (5966653) further in view of Merchant (Wo 9719548).

Regarding claims 3,8 Joensuu et al teaches a call from the mobile subscriber starts when the mobile subscriber first keys in the desired destination number or service code and then presses the send button. An access channel is seized, whereupon the mobile identity and the entered number are automatically transmitted to the MSC 40 via the BS 50. The MSC 40 retrieves the subscriber category information for the calling subscriber from the HLR 30 and verifies that the caller has access to the system. The keyed number is also analyzed to determine if the caller is allowed to call that particular number or to invoke that particular subscriber feature associated with the entered service code. If all analyses are affirmative, the mobile subscriber is assigned to an analog or digital voice channel 120 and the call is set up (col. 3, lines 45-67). Joensuu et al does not specifically teach call charges for the telecommunication connection established from the B-party terminal to the A-party terminal.

In an analogous art, Merchant teaches call charges for the telecommunication connection established from the B-party terminal to the A-party terminal (page 6, lines 8-9). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the optimum call charge pay by calling party in to system of Joensuu et al in to charge the calling party as taught by Merchant.

Response to Arguments

6. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khawar Iqbal whose telephone number is 703-306-3015.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MARSHA D BANK-HAROLD can be reached on 703-305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marsha D Banks-Harold
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Examiner
Art Unit 2686

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